

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

In Re:

Jason G. Ross	:	Case No. 16-52940
Melanie A. Ross,	:	Chapter 13
Debtors.	:	Judge John E. Hoffman, Jr.

DEBTORS' OBJECTION TO CLAIM NO. 8 AND CLAIM NO. 9
FILED BY NAVY FEDERAL CREDIT UNION

The Debtors, Jason G. Ross and Melanie A. Ross, hereby object to Proof of Claim No. 8, filed 7/20/16 in the amount of \$55,925.94 as a secured claim and to Proof of Claim No. 9, filed 7/29/16 in the amount of \$203,330.03 as a secured claim, both filed by Navy Federal Credit Union, 820 Follin Lane, Vienna, VA 22180, for the following reasons:

1. Debtors filed their Petition on May 3, 2016.
2. Said Creditor indicated on both claims (No. 8 and No. 9) that certain amounts were necessary to cure defaults as of the date of the petition (5/3/16).
3. Reported default amounts have caused the Court to require the Mortgage payments to be paid conduit.
4. Although the Debtors mortgage payments are (technically) due on the 1st day of each month, Navy Federal Credit Union's mortgage officer advised debtors of a 10 day grace period and recommended that the debtors schedule automatic mortgage payments on the 10th day of each month.
5. Debtors followed the recommendation of their mortgage officer and scheduled payments to be made (automatically) on the 10th day of each month.
6. Debtors' mortgage payments for the month of May, 2016 were paid on the 10th of May.
7. All mortgage payments have been paid in full each month (through automatic pay) and there are no arrearages owed to Creditor and there were no arrearages due as of the date of filing the petition.

Wherefore, Debtors respectfully request that the Mortgage debt referenced in Claim No. 8 and Claim No. 9 continue to be allowed to be paid by debtors direct, by automatic payment through their bank for the duration of the Chapter 13 case, or until otherwise Ordered by the Court.

Respectfully submitted,

/s/ Michael T. Gunner
Michael T. Gunner (0002078)
Attorney for Debtors
c/o Isaac, Wiles, Burkholder & Teetor
2 Miranova Place, Suite 700
Columbus, Ohio 43215
Telephone: (614) 221-2121
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CERTIFICATE OF SERVICE

A copy of the foregoing Objection to Claim No. 8 and Claim No. 9 Filed by Navy Federal Credit Union was served electronically through the Court's ECF system upon those parties registered with the Court for electronic service at the address on file with the Clerk's Office or by regular U.S. mail postage pre-paid this 21st day of October, 2016.

/s/ Michael T. Gunner
Michael T. Gunner (0002078)

U.S. Trustee
Faye D. English, Chapter 13 Trustee

And ordinary mail upon the following:

Jason G. Ross
Melanie A. Ross
4712 Heath Trails Rd.
Hilliard, OH 43026

Navy Federal Credit Union
820 Follin Lane
Vienna, VA 22180

FORM 20A NOTICE OF DEBTORS' OBJECTION TO CLAIM NO. 8 AND CLAIM NO. 9
FILED BY NAVY FEDERAL CREDIT UNION

The Debtor(s) has/have filed papers with this Court requesting the relief sought in the Objection to Claim No.8 and Claim No. 9 Filed by Navy Federal Credit Union enclosed with this NOTICE.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If your do not want the Court to GRANT the relief requested in the enclosed OBJECTION, or if you want the Court to consider your views on the OBJECTION, then **on or before thirty (30) days** from the date hereof you or your attorney must:

1. File with the Court, a written response to the Debtors' Objection to Claim No. 8 and Claim No. 9 expressing your objection or viewpoint. The response is to be filed with the Clerk of Courts at 170 North High Street, Columbus, Ohio 43215.

If you mail your written response to the Court for filing by the Clerk, you must mail it early enough so the Court will receive it on or before the date stated above.

2. You must also mail a copy of the written response to the Debtor(s) at the address listed on the front of this paper entitled Certificate of Service.
3. You must also mail a copy of the written response to Michael T. Gunner, Attorney at Law, Isaac, Wiles, Burkholder & Teetor, 2 Miranova Pl, Ste 700, Columbus OH 43215.
4. Finally, you must attend any Court hearing scheduled to consider this OBJECTION. The Court will likely schedule an oral hearing and serve only those parties who have in fact filed a written response.

If you or your attorneys do not take these steps, the Court may decide that you do not oppose the relief sought in the Debtors' Objection to Claim No. 8 and Claim No. 9 Filed by Navy Federal Credit Union and may enter an order granting that relief.